

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No.57644

Richard Kenneth Gjesdal
14123 Sunnybrook Road
Phoenix, MD 21111

14121 also known as 14127
Sunnybrook Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on May 27, 2009, for a hearing on a citation for violations under the Baltimore County Code (BCC) section 35-2-401, 402, 403, 404 (1)(i-iv)(2)(1)(II) failure to raze or repair structure on residential property known as 14121 also know as 14127 Sunnybrook Road, 2111.

On May 4, 2009, pursuant to §3-6-205, Baltimore County Code, Code Enforcement Officer, issued a code enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,400.00 (one thousand four hundred dollars).

The following persons appeared for the Hearing and testified: the Respondent, Richard Kenneth Gjesdal and Lavette Street, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on March 30, 2009 requesting that Respondent raze or repair the house on this property. This Citation was issued on May 4, 2009. Inspector Street testified that the house is in total disrepair and nothing has changed since the first inspection. Photographs in the file show a dilapidated two-story house with at least one front window missing.

B. Respondent Gjesdal testified that he lives next door and bought this property at auction about a year and a half ago. The structure was in the same condition when he purchased it. Mr. Gjesdal further testified that he obtained a price quote for tearing the house down, but has not had funds available to do it. He is in negotiations to sell his business and hopes to have funds available in the next month or two.

C. The property is in a rural area and there are no houses immediately adjacent to this dilapidated structure. It does not appear that the house is in a dangerous condition, except that it requires immediate work to make it secure from human or animal encroachment. Respondent must immediately board or otherwise secure the property, and should proceed within a reasonable time to raze the structure. County law requires owners of investment properties to maintain structures in good condition, or to raze them.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00.

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if Respondent (1) by June 12, 2009 boards or otherwise secures all doors and windows AND (2) by July 31, 2009 obtains a County razing permit to raze the structure. If the Respondent fails to meet this schedule and fails to obtain an extension of time from the Department for good cause shown, the civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 3rd day of June 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.

MZF/jaf